An Act for the better Preſervation of Parochial Libraries in that Part of *Great Britain* called *England*.

WHereas in many Places in the South Parts of *Great Britain* called *England* and *Wales*, the Proviſion for the Clergy is ſo Mean, that the neceſſary Expence of Books for the better Proſecution of their Studies cannot be Defrayed by them; And whereas of late Years, ſeveral Charitable and Well-diſpoſed Perſons have by Charitable Contributions, Erected Libraries within ſeveral Pariſhes and Diſtricts in *England* and *Wales*; But ſome Proviſion is wanting to Preſerve the ſame, and ſuch others as ſhall be Provided in the ſame manner, from Embezelment: Be it therefore Enacted by the Queens moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament Aſſembled, and by the Authority of the ſame, That in every Pariſh or Place where ſuch a Library is or ſhall be erected, the ſame ſhall be preſerved for ſuch Uſe and Uſes, as the ſame is and ſhall be given, and the Orders and Rules of the Founder or Founders of ſuch Libraries ſhall be obſerved and kept.

And for the Encouragement of ſuch Founders and Benefactors, and to the Intent they may be Satisfied, that their Pious and Charitable Intent may not be Fruſtrated, Be it alſo Enacted by the Authority aforeſaid, That every Incumbent, Rector, Vicar, Miniſter, or Curate of a Pariſh, before he ſhall be permitted to Uſe and Enjoy ſuch Library, ſhall enter into ſuch Security by Bond, or otherwiſe, for Preſervation of ſuch Library, and due Obſervance of the Rules and Orders belonging to the ſame, as the proper Ordinaries within their reſpective Juriſdictions in their Diſcretion ſhall think fit; and in caſe any Book or Books belonging to the ſaid Library ſhall be taken away and Detained, it ſhall and may be Lawful for the ſaid Incumbent, Rector, Vicar, Miniſter, or Curate for the time being, or any other Perſon or Perſons, to bring an Action of Trover and Converſion, in the Name of the proper Ordinaries within their reſpective Juriſdictions, whereupon Treble Damages ſhall be given with full Coſts of Suit, as if the ſame were his or their proper Book or Books, which Damages ſhall be applied to the Uſe and Benefit of the ſaid Library.

And it is further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful to and for the proper Ordinary, or his Commiſſary or Official in his reſpective Juriſdiction, or the Arch-Deacon, or by his Direction his Official or Surrogate, if the ſaid Arch-Deacon be not the Incumbent of the Place where ſuch Library is, in his or their reſpective Viſitation, to enquire into the State and Condition of the ſaid Libraries, and to amend and redreſs the Grievances and Defects of and concerning the ſame, as to him or them ſhall ſeem meet; and it ſhall and may be Lawful to and for the proper Ordinary from time to time, as often as ſhall be thought fit, to appoint ſuch Perſon or Perſons as he ſhall think fit, to View the State and Condition of ſuch Libraries, and the ſaid Ordinaries, Arch-Deacons or Officials reſpectively, ſhall have free Acceſs to the ſame at ſuch times as they ſhall reſpectively Appoint.

And be it alſo further Enacted by the Authority aforeſaid, That where any Library is Appropriated to the Uſe of the Miniſter of any Pariſh or Place, every Rector, Vicar, Miniſter or Curate of the ſame, within Six Months after his Inſtitution, Induction or Admiſſion, ſhall make or cauſe to be made a New Catalogue of all Books remaining in, or belonging to ſuch Library, and ſhall Sign the ſaid Catalogue, thereby acknowledging the Cuſtody and Poſſeſſion of the ſaid Books; which ſaid Catalogue ſo Signed, ſhall be delivered to the proper Ordinary within the time aforeſaid, to be kept or Regiſtred in his Court, without any Fee or Reward for the ſame.

And be it further Enacted by the Authority aforeſaid, That where there are any Parochial Libraries already Erected, the Incumbent, Rector, Vicar, Miniſter, or Curate of ſuch Pariſh or Place, ſhall make or cauſe to be made a Catalogue of all Books in the ſame, thereby acknowledging the Cuſtody and Poſſeſſion thereof, which Catalogue ſo Signed, ſhall be delivered to the proper Ordinary, on or before the Nine and twentieth day of *September*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and nine; and where any Library ſhall at any time hereafter be Given and Appropriated to the Uſe of any Pariſh or Place, where there ſhall be an Incumbent, Rector, Vicar, Miniſter, or Curate in Poſſeſſion, ſuch Incumbent, Rector, Vicar, Miniſter, or Curate, ſhall make or cauſe to be made a Catalogue of all the Books, and deliver the ſame, as aforeſaid, within Six Months after he ſhall receive ſuch Library.

And to prevent any Embezelment of Books upon the Death or Removal of any Incumbent, Be it alſo Enacted by the Authority aforeſaid, That immediately after the Death or Removal of any Incumbent, Rector, Vicar, Miniſter, or Curate, the Library belonging to ſuch Pariſh or Place ſhall be forthwith ſhut up, and Locked, or otherwiſe Secured by the Churchwarden or Churchwardens for the time being, or by ſuch Perſon or Perſons as ſhall be Authorized or Appointed by the proper Ordinary, or Arch-Deacon reſpectively, ſo that the ſame ſhall not be Opened again, till a new Incumbent, Rector, Vicar, Miniſter, or Curate ſhall be Inducted or Admitted into the Church of ſuch Pariſh or Place.

Provided always, That in caſe the Place where ſuch Library is or ſhall be kept ſhall be uſed for any Publick Occaſion for Meeting of the Veſtry, or otherwiſe, for the diſpatch of any Buſineſs of the ſaid Pariſh, or for any other Publick Occaſion, for which the ſaid Place hath been Ordinarily uſed, the Place ſhall nevertheleſs be made uſe of as formerly for ſuch Purpoſes, and after ſuch Buſineſs diſpatched, ſhall be again forthwith Shut and Lockt up, or otherwiſe Secured, as is before directed.

And be it alſo further Enacted by the Authority aforeſaid, That for the better Preſervation of the Books belonging to ſuch Libraries, and that the Benefactions given towards the ſame may appear, a Book ſhall be kept within the ſaid Library for the Entring and Regiſtring of all ſuch Benefactions, and ſuch Books as ſhall be given towards the ſame, and therein the Miniſter, Rector, Vicar, or Curate of the ſaid Pariſh or Place, ſhall Enter or cauſe to be fairly Entred ſuch Benefaction, and an Account of all ſuch Books as ſhall from time to time be given, and by whom given.

And for the better governing the ſaid Libraries, and preſerving of the ſame, It is hereby further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful to and for the proper Ordinary, together with the Donor of ſuch Benefaction (if Living) and after the Death of ſuch Donor, for the proper Ordinary alone, to make ſuch other Rules and Orders concerning the ſame, over and above, and beſides, but not contrary to ſuch as the Donor of ſuch Benefaction ſhall in his diſcretion judge fit and neceſſary; Which ſaid Orders and Rules ſo to be made, ſhall, from time to time, be Entred in the ſaid Book, or ſome other Book to be prepared for that Purpoſe, and kept in the ſaid Library.

And it is further Enacted and Declared by the Authority aforeſaid, That none of the ſaid Books ſhall in any caſe be Alienable, nor any Book or Books that ſhall hereafter be given by any Benefactor or Benefactors ſhall be Alienated without the Conſent of the proper Ordinary, and then only when there is a Duplicate of ſuch Book or Books: And that in caſe any Book or Books be taken or otherwiſe loſt out of the ſaid Library, it ſhall and may be Lawful to and for any Juſtice of Peace within the County, Riding or Diviſion, to Grant his Warrant to Search for the ſame, and in caſe the ſame be found, ſuch Book or Books ſo found ſhall immediately, by Order of ſuch Juſtice, be reſtored to the ſaid Library; Any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding.

Provided always, That nothing in this Act contained ſhall extend to a Publick Library lately Erected in the Pariſh of *Rygate* in the County of *Surry*, for the Uſe of the Freeholders, Vicar, and Inhabitants of the ſaid Pariſh, and of the Gentlemen and Clergymen, Inhabiting in Parts thereto adjacent; the ſaid Library being Conſtituted in another manner than the Libraries Provided for by this Act.

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